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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.7356 OF 2005
IN
CRIMINAL APPEAL NO. OF 2005

State of Maharashtra ... Appellant

V/s.

Yunus Abdulla ogade & Ors. ... Respondents

Mrs.P.H. Kantharia, APP, for Appellant
None for Respondent

CORAM: **V.G. PALSHIKAR, Ag. C.J. & SMT.NISHITA MHATRE, J.**

DATED: **SEPTEMBER 11, 2006**

P.C.:

. By this Application, the State impugns the order passed by the Sessions Judge, Raigad in Appeal No.54 of 2003 in which the learned Sessions Judge on appreciation of evidence came to the conclusion that conviction of two of the accused was proper and he therefore, maintained it and found that two others deserved to be acquitted. He therefore, proceeded to acquit them. It is this order which is impugned in this Application.

2. We have on record an order of conviction and an order of acquittal delivered by two Courts of competent jurisdiction which obviously demonstrates that two views as have already been taken were possible. In such circumstances, no interference is called for. Application is rejected.